

Message Text

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EXDIS

FOR THE SECRETARY FROM AMB. LEARSON

FROM US DEL LOS

E.O. 11652: XGDS-3

TAGS: PLOS

SUBJECT: LOS: DAILY REPORT FOR THE SECRETARY

1. COMMITTEE I: COMMITTEE I HELD TWO ON-THE-RECORD MEETINGS YESTERDAY AT WHICH MAINLY LDCS MADE STATEMENTS (US STATEMENT WAS MADE ON FRIDAY). THE FOLLOWING TRENDS HAVE EMERGED IN THESE END-OF-SESSION FORMAL MEETINGS. (A) A SURPRISINGLY LARGE NUMBER OF LDCS RETAINED THE HARD-LINE SUBSTANCE AND TONE THAT WAS PRESENT AT THE OPENING OF THE SESSION; (B) NO SPECIFIC COMMENTS WERE DIRECTED TOWARDS THE SECRETARY'S COMPROMISE PROPOSALS, ALTHOUGH THERE WAS CONSIDERABLE CRITICISM OF THE INTRANSIGENCE OF INDUSTRIALIZED COUNTRIES; (C) EXTREMIST LDCS URGED THAT THE SAME, UNPRODUCTIVE PROCEDURES BE CARRIED FORWARD AND UNIFORMLY OPPOSED SUGGESTION OF COMMITTEE I VOTING AT NEXT SESSION; (D) MANY LDCS OPPOSED SUGGESTION OF OFFICIAL INTERSESSIONAL MEETINGS.

2. JENS EVENSEN (NORWAY) HELD LUNCHEON YESTERDAY AT WHICH HE PROPOSED CONVENING OF INTERSESSIONAL MEETING UNDER HIS CHAIRMANSHIP AT HEADS OF DELEGATION
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LEVEL TO NEGOTIATE COMMITTEE I PACKAGE. GENERAL RESPONSE

OF PARTICIPANTS WAS ENCOURAGING, AND US INDICATED ITS SUPPORT ON CONDITION THAT COMPOSITION OF GROUP WAS REPRESENTATIVE.

3. COMMITTEE II: AGUILAR CHAIRED FINAL SMALL GROUP ON

LEGAL STATUS OF THE ECONOMIC ZONE. THE UAE MADE SIGNIFICANT AMENDMENT PROPOSAL ON PARA. ONE OF ARTICLE 46 OF RSNT AS FOLLOWS:

QTE 1. IN THE EXCLUSIVE ECONOMIC ZONE, ALL STATES, WHETHER COASTAL OR LANDLOCKED, ENJOY, SUBJECT TO THE RELEVANT PROVISIONS OF THE PRESENT CONVENTION:

(A) THE HIGH SEAS FREEDOMS OF NAVIGATION AND OVERFLIGHT AND OF THE LAYING AND MAINTAINING OF SUBMARINE CABLES AND PIPELINESL AND

(B) OTHER GENERALLY RECOGNIZED HIGH SEAS USES COMPATIBLE WITH THE PRINCIPLES EMBODIED IN THE CHARTER OF THE UNITED NATIONS AND OTHER RULES OF INTERNATIONAL LAW.

THE FREEDOMS AND USES REFERRED TO IN PARAGRAPH 1 SHALL BE EXERCISED TAKING INTO ACCOUNT THE RIGHTS AND DUTIES OF COASTAL STATES AS PROVIDED FOR IN THIS CHAPTER. UNQTE.

4. THE PROPOSAL DREW FAVORABLE COMMENT FROM TEN OF NINETEEN SPEAKERS, WAS OPPOSED ONLY BY TWO. KENYA MADE HARDEST LINE INTERVENTION TO DATE SAYING THAT NAVIGATION IN THE ECONOMIC ZONE CAN NEVER AGAIN BE CONDUCTED AS HAS BEEN ON THE HIGH SEAS. US DEL MADE FAVORABLE COMMENT ON UAE PROPOSAL, SUPPORTED AUSTRALIAN COMPROMISE ON ARTICLE 75, AND INSISTED ITS NATIONAL INTERESTS BE PROTECTED. U.S. STATEMENT RECEIVED STRONG SUPPORT FROM MARITIMES AND EC-9.

5. COMMITTEE III: A LARGE NUMBER OF DELEGATIONS COMMENTED IN FORMAL SESSION ON THE CHAIRMAN'S REPORT ON SCIENTIFIC RESEARCH. ALTHOUGH ABOUT A DOZEN SPOKE FAVORABLY ON THE AUSTRALIAN PROPOSAL, CHAIRMAN YANKOV PREVENTED ITS INCLUSION IN THE RECORDS. THE CHAIRMAN IS CLEARLY PREPARED TO OPENLY CONFIDENTIAL

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SHOW HIS BIAS IN ORDER TO PREVENT HIS LOSING COMPLETE CONTROL OVER THE COMMITTEE. IT IS CLEAR THAT IT WILL BE VERY DIFFICULT TO NEGOTIATE AN ACCEPTABLE TEXT ON SCIENTIFIC RESEARCH UNDER HIS CHAIRMANSHIP.

6. DISPUTE SETTLEMENT: INFORMAL PLENARY COMPLETED ITS WORK FOR THIS SESSION. THERE WAS A STRONG TREND YESTERDAY TOWARD RETAINING THE SYSTEM OF SPECIAL PROCEDURES CONSIDERED

ESSENTIAL TO ANY CHAPTER ON COMPULSORY DISPUTE SETTLEMENT BY THE USSR. MANY DEVELOPING COUNTRIES WISHED TO BE CERTAIN THEY WOULD NOT, HOWEVER, BE COMPELLED TO GO TO THEM.

7. AMERASINGHE INDICATED THERE IS INSUFFICIENT TIME REMAINING TO TAKE UP THE PREAMBLE AND FINAL CLAUSES, THUS DEFERRING POTENTIALLY DIFFICULT DEBATE (INCLUDING WHETHER PLO, OTHER NLMS, MICRONESIA AND PUERTO RICO COULD BECOME PARTIES TO THE NEW LOS CONVENTION) UNTIL NEXT SESSION.

8. BEHIND THE SCENES EFFORT TO BREAK THE DEAD-LOCK ON THE ACCESS SYSTEM IN COMMITTEE I WAS TESTED WITH THE ASIAN GROUP AND FAILED TO GAIN SUPPORT. THE EFFORT WAS LED BY MALAYSIAN ATTORNEY-GENERAL KADIR. HE WILL FLOAT HIS COMPROMISE IDEAS WITH THE GROUP OF 77 ON THE FINAL DAY FOR CONSIDERATION AT THE NEXT SESSION. SCRANTON

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